

SUMMARY REPORT OF INVESTIGATION**I. EXECUTIVE SUMMARY**

Date of Incident:	December 16, 2017
Time of Incident:	7:15 PM
Location of Incident:	XXXX S. Halsted, Chicago, IL
Date of COPA Notification:	December 18, 2017
Time of COPA Notification:	3:39 PM

On December 16, 2017, at approximately 7:15 pm at XXXX South Halsted Street, Subject 1 was involved in a traffic stop initiated by Officers A #XXXXXX and B #XXXXXX. Subject 1 alleges that the traffic stop was unjustified, that he was issued two unjustified traffic citations, and that, during the traffic stop, Officer A drew and pointed his weapon at the passengers in the rear of his vehicle. During the traffic stop, Subject 1 was accompanied by his wife, his two minor sons, and his nephew. COPA reviewed the allegations and reached an Unfounded finding for each of them.

II. INVOLVED PARTIES

Involved Officer #1:	Officer A, Star#XXXXXX, Employee #XXXXXX, DOA: XXXXXX, Police Officer, District XXX, DOB: XXXXXX, Male, Hispanic
Involved Officer #2	Officer B, Star#XXXXXX, Employee #XXXXXX, DOA: XXXXXX, Police Officer, District XXX DOB: XXXXXXXX, Female, White
Complainant #1:	Subject 1, XXXXXXXX, Male, Black

III. ALLEGATIONS

Officer	Allegation	Finding
Officer A	1. Initiated the traffic stop of Subject 1 without justification.	Unfounded
	2. Unnecessarily displayed his weapon during a traffic stop.	Unfounded
Officer B	1. Initiated the traffic stop of Subject 1 without justification.	Unfounded
	2. Issued traffic citations without justification.	Unfounded

IV. APPLICABLE RULES AND LAWS

Rules

1. **Rule 1:** Violation of any law or ordinance.
2. **Rule 2:** Any action or conduct which impedes the Department's efforts to achieve its policy and goals or brings discredit upon the department.
3. **Rule 3:** Any failure to promote the Department's efforts to implement its policy or accomplish its goals.
4. **Rule 8:** Disrespect to or maltreatment of any person, while on or off duty.
5. **Rule 38:** Unlawful or unnecessary use or display of a weapon.

V. INVESTIGATION¹

a. Interviews

In a statement given to the Civilian Office of Police Accountability (“COPA”) on December 19, 2017, **Subject 1** provided the allegations initiating this Complaint. He reported that, while driving with his wife, Civilian 1, his two minor sons, and his nephew, Officers B and A initiated a traffic stop of his vehicle.² Upon arriving at Subject 1’s vehicle, Officer B requested his license and insurance. Subject 1 provided the officer with his driver’s license but did not have

¹ COPA conducted a thorough and complete investigation. The following is a summary of the material evidence gathered and relied upon in our analysis.

² Subject 1 also reported seeing three unmarked police vehicles where he was stopped, which were occupied by unknown officers. None of the evidence reviewed in this investigation substantiates this claim.

proof of insurance. He stated that the officer informed him that she stopped him because his vehicle had a missing tail-light. Subject 1 relayed, that while he was speaking with Officer B, he noticed that Officer A, who was on the passenger side of his car, had his weapon drawn and was pointing it at the rear of his vehicle. Subject 1 also stated that Officer B and another unknown officer had their hands on their holstered weapons while they interacted with him. During the same interview, however, Subject 1 later stated that every officer on the scene had their weapons drawn. He further stated that Officer A had pointed his weapon at the vehicle whereas Officer B had her weapon out and pointed at the ground while she spoke with him through his car window. Ultimately, Subject 1 was presented with his citations and left the scene without further incident.³

In a statement given to COPA on December 19, 2017, **Witness Civilian 1** relayed she was riding with her husband, Subject 1, along with their two sons and a nephew. Civilian 1 recounted Officer B informing her husband that they were stopped due to a missing tail light (which Civilian 1 maintains was operable). Civilian 1 noted that Officer A taking a position near her, on the vehicle's passenger side, while Officer B interacted with Subject 1 on the driver's side.

Civilian 1 stated that it was possible that the officers had their hand on their weapons but was certain that she did not observe weapons drawn or pointed at anyone or in the direction of the vehicle.⁴

b. Digital Evidence

Body Worn Camera Videos (BWC) retrieved from Officers B #XXXXXX and A #XXXXXX depict footage related to the subject traffic stop.⁵

BWC video (XXXXXXXXXX) assigned to **Officer B #XXXXXX** shows her interaction with Subject 1. The footage shows Officer B stopping Subject 1's vehicle, which appears to have a tail-light out. Officer B approaches the driver's window while Officer A approaches the passenger side. An unknown plain-clothed male white officer is seen standing near the passenger side of the vehicle prior to and during their approach.

Subject 1 asked why he was being stopped and Officer B informed him that his vehicle's tail-light was out. After Subject 1 informed her that he did not have proof of insurance, Officer B returned to her vehicle and prepared two traffic citations. She returned to Subject 1's vehicle and, at that time, Civilian 1 was engaged in a conversation with Officer A on the passenger side. Eventually Subject 1 received his tickets and the officers returned to their vehicle. At no time in the video did any officer remove, draw, or point their weapon at the vehicle or any of its occupants.

BWC (XXXXXXXXXX) assigned to **Officer A #XXXXXX** essentially depicts the same footage captured on Officer B's BWC. The footage is captured in two segments. The first segment

³ Attachment 14

⁴ Attachment 13

⁵ Attachment 11

captures the incident from the traffic stop to where the officers return to their vehicle to prepare the citations. The second segment shows the officers return to Subject 1's vehicle and captures the conversation between Civilian 1 and Officer A and ends when the traffic stop is complete. Neither segment shows a CPD member removing or otherwise displaying a weapon.

COPA notes here that, during his interview, Subject 1 claimed to have video footage on his cellphone substantiating his allegations as to the officers' improper display of their sidearms. Unfortunately, COPA's evidence technician was unable to recover the footage from his device.⁶ COPA notes, however, that Officer B's BWC footage captures her interaction with Subject 1. After Officer B returned to Subject 1's vehicle to hand him his citations, he makes minimal eye contact with her, choosing instead to peer into his phone as she speaks to him.

Documentary Evidence

The Clerk of the Circuit Court of Cook County **Mainframe Court Docketing System** provides the details for citations TN-XXX-XXX and TN-XXX-XXX, which were issued to Subject 1 during this incident for violations related to headlights and driving without insurance. The Court found that Subject 1 committed both offenses.⁷

VI. ANALYSIS

COPA recommends a finding of **Unfounded** for **Allegations 1 and 2** against **Officer B** and a finding of **Unfounded** for **Allegations 1 and 2** against **Officer A**. The evidence reviewed during this investigation contradicts the allegations that Subject 1 presented to COPA. Specifically, the evidence shows that the accused officers had justification for stopping and ticketing him and provides no support for the allegations that one or more officers displayed any weapons. Further, Civilian 1, who was in the passenger seat next to her husband, contradicted him in her interview, stating that she did not see any weapons displayed. COPA notes that the BWC footage captures the officers' interactions on both the driver and passenger sides of the vehicle. Thus, if any display of weapons had taken place in the manner described by Subject 1, it would have been captured on that footage. Finally, per Officer B's BWC, Subject 1's attention was focused on his cellphone during much of their interaction, which further strains the credibility of his weapons-related allegations.

VII. CONCLUSION

Based on the analysis set forth above, COPA makes the following findings:

Officer	Allegation	Finding
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⁶ Attachment 15

⁷ Attachment 12

Officer A	1. Initiated the traffic stop of Subject 1 without justification 2. Unnecessarily displayed his weapon during a traffic stop.	Unfounded Unfounded
Officer B	1. Initiated the traffic stop of Subject 1 without justification. 2. Issued traffic citations without justification.	Unfounded Unfounded

Approved:

Deputy Chief Administrator – Chief Investigator

Date

Appendix A

Assigned Investigative Staff

Squad#:	
Investigator:	
Supervising Investigator:	
Deputy Chief Administrator:	